



UNITED STATES PATENT AND TRADEMARK OFFICE

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**DEC 15 2006**

**OFFICE OF PETITIONS**

In re Application of  
Moreno, et al.  
Application No. 10/659,522  
Filed: September 9, 2003  
Docket No.: SP02-197

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: DECISION ON PETITION  
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This is a decision on the petition under 37 CFR 1.181, filed November 30, 2006, to withdraw the holding of abandonment.

The petition is **GRANTED**.

The application was held abandoned for failure to timely submit a properly reply to the non-final Office action mailed February 23, 2006. The Notice set a three month shortened statutory period of time for reply. Notice of Abandonment was mailed October 25, 2006.

Petitioners assert that a petition for extension of time and a response to the non-final Office action were timely submitted August 23, 2006.

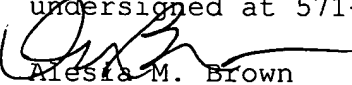
The original response submitted August 23, 2006 has not been located. However, the copy of the response submitted herewith bears a certificate of mailing date of August 23, 2006 in accordance with 37 CFR 1.8 and is thus deemed to have been timely submitted.

In view of the evidence thereof, the petition to withdraw the holding of abandonment is hereby **GRANTED**.

The Notice of Abandonment is hereby **VACATED** and the holding of abandonment is **WITHDRAWN**.

The application file is being forwarded to Technology Center 1700 for further processing.

Telephone inquiries concerning this matter may be directed to the undersigned at 571-272-3205.

  
Alesia M. Brown  
Petitions Attorney  
Office of Petitions